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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,963	02/11/2004	Kenneth H. Lubkert	GRD0251.US	3564

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Todd T. Taylor
TAYLOR & AUST, P.C.
142 S. Main St.
P.O. Box 560
Avilla, IN 46710

EXAMINER

DINH, PHUONG K

ART UNIT PAPER NUMBER

2839

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

41A

Office Action Summary

Application No.

10/776,963

Applicant(s)

LUBKERT, KENNETH H.

Examiner

Phuong KT Dinh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 13-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 23-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because:
2. In figure 2, number 38 is duplicated. Could be changed to number 38a and 38b.
3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:

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5. Page 7, lines 18-19, "one of jumper terminal 38" should be changed to -- one of jumper terminals 38A -- and "the other of jumper terminals 38" should be changed to -- the other of jumper terminals 38B --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. Claims 3-4 and 25-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, 25, "said jumper positionable in said arc opening" seem incorrect and should be changed to -- a terminal of said jumper positionable in said arc opening --.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 6, 8, 10-12, 23-24, 27-28, 30, 32, 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Russell (U. S. Patent 5,252,086).

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4. Regarding claims 1, 23-24, 27-28, 30, 32, 33-35, Russell, see figures 1-4, 12, discloses a modular wall panel assembly for use in a modular furniture environment comprising: a modular wall panel 22; an electrical receptacle, see figure 1, connected to the modular wall panel 22, the electrical receptacle including a connector having a plurality of connects terminal, a plurality of receptacle terminals, and at least one jumper 62 providing connection from one of the plurality of receptacle terminals to one of the plurality of connector terminals.
5. Regarding claim 2, Russell, see figures 1-4, 12, discloses the connection of one of the plurality of receptacle terminals to one of the plurality of connection terminals is selectable by a placement of the jumper 62.
6. Regarding claim 6, Russell, see figures 1-4, 12, discloses receptacle opening on the electrical receptacle the jumper on a side of the electrical receptacle opposite the receptacle opening.
7. Regarding claim 8, Russell, see figures 1-4, 12, discloses the at least one jumper 62 is a power infeed to the plurality of receptacle terminals.
8. Regarding claim 10, Russell, see figures 1-4, 12, discloses a jumper cable providing a power infeed to the electrical receptacle.
9. Regarding claim 11, Russell, see figures 1-4, 12, discloses a distributed harness providing a power infeed to the electrical receptacle.
10. Regarding claim 12, Russell, see figures 1-4, 12, discloses the jumper 62 is removable from the electrical receptacle.

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11. Claims 1-2, 5, 23, 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Bojel (U. S. Patent 5,131,860).

12. Regarding claims 1, 23 and 33-35, Bojel, see figures 1 and 2 discloses a modular wall panel assembly for use in a modular furniture environment comprising: a modular wall panel 12; an electrical receptacle 24 connected to the modular wall panel 12, the electrical receptacle including a connector having a plurality of connects terminal, a plurality of receptacle terminals, and at least one jumper 26 providing connection from one of the plurality of receptacle terminals to one of the plurality of connector terminals.

13. Regarding claim 2, Bojel, see figures 1 and 2, discloses the connection of one of the plurality of receptacle terminals to one of the plurality of connection terminals is selectable by a placement of the jumper 64.

14. Regarding claim 5, Bojel, see figures 1 and 2, discloses an indicia 26 on the electrical receptacle including one of the plurality of connector terminals being connected to one of the plurality of receptacle terminals.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 7, 9, 29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell.

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17. Regarding claims 7, 29, Russell discloses the claimed invention except for the jumper include a jumper terminal, at least one of the plurality of connector terminal include a resilient arc, the jumper terminal is received the resilient arc. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the jumper include a jumper terminal, at least one of the plurality of connector terminal include a resilient arc so as to provide for easy pin to socket connection.

18. Regarding claims 9, 31, Russell, see figures 1-4, 12, discloses the claimed invention except for at least one of the plurality of receptacle terminal includes a resilient arc, the jumper is received in the resilient arc. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use socket such 166 for receptacle terminals to be engaged by a pin of the jumper such socket 166 defining resilient arc so as to provide for easy pin to socket connection.

19. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Russell.


20. Regarding claim 5, Russell, see figures 1-4, 12, discloses the claimed invention except for an indicia on the electrical receptacle including one of the plurality of connector terminals being connected to one of the plurality of receptacle terminals. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Russell to provide indicia on receptacle because this could be pencil mark on receptacle and would be obvious variation to aid technicians working with the equipment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong KT Dinh whose telephone number is 571-272-2090. The examiner can normally be reached on 8 -5, 5 days a week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Phuong Dinh
June 23, 2005.

Phuong KT Dinh
Primary Examiner
Art Unit 2839